

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CAROLYN SUE THOMAS,

Plaintiff,

V.

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

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No. 3:12-cv-4415-P-BN

**RECOMMENDATION REGARDING MOTION
TO PROCEED IN FORMA PAUPERIS ON APPEAL**

The undersigned magistrates judge has considered Plaintiff's application for leave to proceed *in forma pauperis* on appeal and attached declaration [Dkt. No. 30].

- () The application for leave to proceed *in forma pauperis* on appeal pursuant to 28 U.S.C. § 1915 should be GRANTED.
 - () The Plaintiff should be assessed an initial partial appellate fee of \$ _____. *See* 28 U.S.C. § 1915(b)(1).
 - () The Plaintiff should not be assessed an initial partial appellate fee. *See* 28 U.S.C. § 1915(b)(1).
 - () The plaintiff should pay \$ _____, the balance of the appellate filing fee, in monthly installments. *See* 28 U.S.C. § 1915(b)(2)
- (X) The application for leave to proceed *in forma pauperis* on appeal should be DENIED for the following reasons:
 - () The Plaintiff is not a pauper.
 - () The Plaintiff has not complied with the requirements of 28 U.S.C. § 1915(a)(1) or (a)(2). *See* Notice of Deficiency and Order filed on _____.
 - (X) Pursuant to 28 U.S.C. § 1915(a)(3) and Fed. R. App. P. 24(a)(3), and because the Findings, Conclusions, and Recommendation of the United States Magistrate Judge [Dkt. No. 28] do not constitute an appealable order, *see Donaldson v. Ducote*, 373 F.3d 622, 624 (5th Cir. 2004), the Court should certify that the appeal is not taken in good faith.

DATED: December 20, 2013



DAVID L. HORAN
UNITED STATES MAGISTRATE JUDGE